| Idaho Department of | Standard | Control Number: 401.06.03.058 | Version: 3.0 | Page Number: 1 of 4 |
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This document was approved by Shane Evans, chief of Division of Education Treatment and Reentry on <u>07/30/2013</u> (signature on file).

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BOARD OF CORRECTION IDAPA RULE NUMBER 401

Medical Care

POLICY CONTROL NUMBER 401

Hospitalization, Institutional Clinical Services, and Treatment

DEFINITIONS

Standardized Terms and Definitions List

Contract Medical Provider: A private company under contract with the Department to provide comprehensive medical, dental, and/or mental health services to the incarcerated offender population. A contract medical provider may include private prison companies and other entities under contract with the Department to operate the Idaho Correctional Center (ICC) and other out-of-state facilities housing Department offenders.

Facility Health Authority: The contract medical provider employee who is primarily responsible for overseeing the delivery of medical services in an Idaho Department of Correction (IDOC) facility.

Facility Medical Director: The highest ranking physician in an Idaho Department of Correction (IDOC) facility.

Health Authority: The Department employee who is primarily responsible for overseeing or managing the Department's medical and mental health services. The health authority is commonly referred to as the health services director.

PURPOSE

The purpose of this standard operating procedure (SOP) is to establish procedures for ensuring that pregnant offenders receive comprehensive counseling and assistance in accordance with their expressed desires regarding their pregnancy, whether they elect to keep the child, use adoption services, or have an abortion. (National Commission on Correctional Health Care [NCCHC] Standard P-G-09.)

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SCOPE

This SOP applies to all Idaho Department of Correction (IDOC) healthcare services staff, offenders, contract medical providers and subcontractors.

RESPONSIBILITY

Health Authority

The health authority is responsible for:

- Monitoring and overseeing all aspects of healthcare services, and
- The implementation and continued practice of the provisions provided in this SOP.

When healthcare services are privatized, he will also be responsible for:

- Reviewing and approving (prior to implementation) all applicable contract medical provider policy, procedure, and forms; and
- Monitoring the contract medical provider's performance, to include but not limited
 to reviewing processes, procedures, forms, and protocols employed by the
 contract medical provider to ensure compliance with all healthcare-related
 requirements provided in respective contractual agreements, this SOP, and in
 National Commission on Correctional Health Care (NCCHC) standard P-G-09,
 Pregnancy Counseling. (See section 2 of this SOP.)

Contract Medical Provider

When healthcare services are privatized, the contract medical provider is responsible for:

- Implementing and practicing all provisions of this SOP, unless specifically exempted by written contractual agreements;
- Ensuring that all aspects of this SOP and *NCCHC standard P-G-09* are addressed by applicable contract medical provider policy and procedure;
- Ensuring facility health authorities utilize all applicable contract medical provider policy, procedure, forms, and educational information to fulfill all healthcarerelated requirements provided in this SOP, NCCHC standard P-G-09, or as indicated in their respective contractual agreement(s); and
- Ensuring all applicable contract medical provider policy, procedure, and forms are submitted to the health authority for review and approval prior to implementation.

Nothing in this SOP shall be construed to relieve the contract medical provider(s) of any obligation and/or responsibility stipulated in respective contractual agreements.

Facility Health Authority

The facility health authority will be responsible for:

• Ensuring the presence of an adequate number of appropriately trained staff and materials are available to meet the requirements of this SOP;

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- Establishing and monitoring applicable contract medical provider policy and procedure to ensure that all elements of this SOP and NCCHC standard P-G-09 are accomplished as required; and
- Establishing formal relationships with community hospitals, specialists, and others as needed to meet the requirements of this SOP and NCCHC standard P-G-09.

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GENERAL REQUIREMENTS

1. Guidelines

Perinatal Healthcare

Pregnant offenders who choose to continue their pregnancy shall receive obstetric care as soon as the pregnancy is confirmed. Care will be provided by healthcare services and through contractual arrangements with community providers and hospitals.

Each facility providing care to pregnant offenders shall have written guidelines describing the medical and support services that will be provided through the entire perinatal period, including, but not limited to, prenatal care, prenatal education, transportation, referral to high risk care centers, family planning, follow-up of chronic healthcare problems and postpartum care. (See SOP 401.06.03.055, Pregnant Offender: Care of the.)

Staff/Offender Therapeutic Relationships

Reproductive healthcare services shall be provided in a non-biased fashion regardless of sex, race, religion, age, or marital status. Healthcare services staff shall not withhold service or information from offenders due to their own personal or religious convictions. The confidentiality of encounters and healthcare records shall be maintained.

Abortion

Pregnant offenders may request an abortion in consultation with a healthcare provider. Pregnant offenders will be given information and counseling concerning the nature, consequences and risks of the procedure, as well as information on alternatives available when making a decision to continue or terminate a pregnancy.

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If a woman offender requests an abortion, the request must be forwarded to the health authority for referral to the deputy attorneys general (DAG) who represent the IDOC for a formal legal opinion based on Idaho law.

As a general rule, abortion is considered an elective procedure unless the attending obstetrician determines that it is medically necessary in order to protect the offender's life or health; therefore, if provided, an abortion must be paid for by the offender.

Infant Placement

Counselors and/or case managers will assist a woman offender to make an informed decision regarding the placement of an infant born to her during incarceration. In all matters, compliance with appropriate Idaho law is required.

Family Planning

Family planning, as part of regular, comprehensive healthcare, will be offered and available on request. Participation in family planning is voluntary. Healthcare services staff will provide information and counseling to assist women offenders in making informed decisions with their healthcare provider regarding contraception prior to release.

Temporary and permanent sterilization procedures are considered elective and, if requested, must be paid for by the offender.

Women offenders shall be provided information on community family planning resources well in advance of their release in order to assure continuity of care in the community.

2. Compliance

Compliance with this SOP and all related Department-approved protocols will be monitored by the health authority (or designee) by using various sources to include: this SOP, clinical practice guidelines, routine reports, program reviews, and record reviews.

The health authority (or designee) must conduct two (2) audits a year (or more frequently as desired based on prior audit results). The audits must consist of monitoring applicable contract medical provider and IDOC policy and procedures, applicable NCCHC standards, and the review of a minimum of 15 individual records.

REFERENCES

National Commission on Correctional Health Care (NCCHC), Standards for Health Services in Prisons, Standard P-G-09, Pregnancy Counseling

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